

**RULES
OF
GEORGIA DEPARTMENT OF AGRICULTURE
ANIMAL INDUSTRY DIVISION**

**CHAPTER 40-13-6
AUCTION MARKETS**

TABLE CONTENTS

40-13-6-.01	General.	40-13-6-.07	Poultry Movement Through Auction Markets.
40-13-6-.02	Special Livestock Sales	40-13-6-.08	Equine Movement Through Auction Markets.
40-13-6-.03	Livestock Identification.	40-13-6-.09	Veterinary Services.
40-13-6-.04	Out-of-state Cattle.	40-13-6-.10	Livestock Inspector.
40-13-6-.05	Swine Movement Through Livestock Auction Markets.	40-13-6-.11	Handling of Livestock.
40-13-6-.06	Goats, Sheep, and Non-traditional Livestock Movement Through Auction Markets.	40-13-6-.12	Enforcement.

40-13-6-.01 General.

- (1) Any new livestock, poultry, equine, or non-traditional livestock market desiring to commence operation and any existing livestock market desiring to change sale day or days must write to the Commissioner of Agriculture for approval. Approval is contingent upon available Department personnel.
- (2) All livestock, poultry, equine or non-traditional livestock markets, buying stations and concentration points must be kept in a good state of repair, in a clean and sanitary condition, and disinfected as needed. Cleaning and disinfecting equipment, including disinfectants, must be maintained on premises at all times.
- (4) All livestock markets must maintain isolation pens in order to insure separation of diseased animals from other animals in the market.
- (5) Approved toilet facilities must be provided and maintained in a clean and sanitary condition.
- (6) Adequate lighting shall be provided throughout the market facility.
- (7) Adequate pens and chutes must be provided by the auction market for carrying out livestock disease control measures. Adequate space and facilities must be

provided for veterinary services, Department inspection activities and performing laboratory tests on blood samples. Facilities must be kept in a clean and sanitary condition. The laboratory must be equipped with hot running water and the room temperature of the laboratory must be maintained within a temperature range of 50-80 degrees F.

(8) Isolation of Personnel - Each sales establishment shall make adequate provisions to isolate, insofar as practical, the auctioneer, weigher, clerk, and any other employee who has any duty in regard to making any record of the sale and no person shall be permitted to interfere with any such employee while he is performing any duty in connection with the sale.

(9) Truck License Tags - Each livestock sales establishment shall be responsible for entering on a receiving ticket the license of all trucks which unload livestock at such establishments as determined by the State Veterinarian.

(10) Records – Auction markets shall maintain adequate records of all transactions including the complete name and address of the seller and purchaser and shall make such records available to authorized personnel of the Georgia Department of Agriculture upon request. All record shall be retained for two (2) years except the records on sheep and goats which shall be retained for five (5) years.

(11) Livestock sales markets shall have a written and approved method and place for disposal of dead animals and all accessory waste material involved in handling dead animals which die on or within the premises of each licensed establishments. A Certificate of Compliance may be issued from the Department.

Authority O.C.G.A. § 4-4-2, 82, 112, 4-5-7, 4-6-5, 6, 51.

40-13-6-.02 Special Livestock Sales

(1) Any livestock sale other than regular sales establishments and farmer owned livestock sold on his or her premises with direct payment to the farmer are considered a special sale.

(2) Farmers holding sales of their livestock on the property of the farmer must apply in writing to the State Veterinarian for a permit at least 21 days prior to the sale day.

(3) Any person desiring to hold a special sale must apply in writing to the State Veterinarian for a permit at least 21 days prior to the sale date. The permit shall be granted without charge upon submission of proof satisfactory to the Commissioner that:

(a) The applicant applying for the permit is bonded in an amount equal to one-fourth of the anticipated proceeds of the sale, provided, however, that such bond shall not be less than \$10,000.00 and not more than \$150,000.00 in amount.

(b) Associations holding sales of animals consigned by its members shall not be required to procure a bond provided the directors of the association accept full responsibility for financial obligations of the sale and release the Commissioner of Agriculture from any financial responsibility. A resolution must be compiled by the directors of the association and received by the department prior to the permit being issued.

Authority O.C.G.A. Section 4-6-52.

40-13-6-.03 Livestock Identification Requirements.

(1) All cattle of any age and class offered for sale through Georgia livestock markets must be back tagged with tags furnished by the Georgia Department of Agriculture or United States Department of Agriculture or other identification method approved by the State Veterinarian. Back tags must be applied in accordance with instructions issued by the Department. The livestock auction market shall provide necessary facilities for carrying out this requirement and shall furnish the Department the complete name and address of the persons selling such animals.

(2) Animals received directly at slaughter establishments shall also be back tagged in accordance with provisions of this section and blood samples shall be obtained and forwarded to the Department along with the name and address of the seller of such animals.

(3) All sheep and goats must be individually identified with USDA or Georgia Department of Agriculture approved eartags, back tags or other identification method approved by the State Veterinarian. Backtags must be applied three (3) inches on either side of the poll.

(4) Finished slaughter swine (USDA Grades #1, #2, and #3) must be identified by slap tattoo upon receipt into the market prior to penning with other swine. This tattoo must be approved by the Department of Agriculture and designed in order to insure identity of the market and the producer. The livestock auction market must furnish the Department the complete name and address of the persons selling such animals. These animals will be required to be identified at the first point of concentration only.

(5) All sheep and goats must be individually identified with USDA or Georgia Department of Agriculture approved eartags, back tags or other identification

method approved by the State Veterinarian. Backtags must be applied three (3) inches on either side of the poll.

(6) All equines must be individually identified with a USDA or Georgia Department of Agriculture approved tag, painted identification or other identification method approved by the State Veterinarian.

Authority O.C.G.A. Sections 4-4-95.1; 4-4-121.

40-13-6-.04 Out-of-State Cattle.

(1) Cattle from out-of-state moved through Georgia livestock markets must meet the same requirements as Georgia cattle, with the following exceptions:

(a) If the state of Georgia enters into a reciprocal agreement with other states, cattle may be moved in accordance with the provisions contained in such agreement. Cattle from out-of-state not covered by a reciprocal agreement must also meet the additional requirements as follows:

1. All cattle one year of age and older must be accompanied by an official Certificate of Veterinarian Inspection with a negative brucellosis test, if required and must originate from herds not known to be infected with brucellosis or tuberculosis.

2. Cattle identified with an out-of-state USDA back tag must be handled as above with the exception that the out-of-state back tag must be removed from the animals and replaced with Georgia back tags and both tag numbers recorded on the seller's lot in ticket.

(b) Cattle from a Brucellosis high risk state or area as determined by the State Veterinarian are subject to special import requirements.

Authority O.C.G.A. Sections 4-4-64; 4-4-67.

40-13-6-.05 Swine Movements Through Livestock Auction Markets.

(1) Slaughter sales: All sales through such markets are for slaughter purposes only, and cannot be diverted.

(a) Light sows and boars and odd lot swine under 300 pounds sold through markets must be moved on a Georgia 29 permit.

(2) Feeder/breeder sales: All swine offered for sale at these markets must be healthy and must originate from herds that are apparently free of any contagious, infectious, or communicable disease. Swine offered for sale at these markets

showing any signs of illness will be returned to the farm of origin under quarantine. Swine offered for sale must have been on the farm of origin of the seller for a minimum of thirty (30) days. All breeder swine four months of age or older must be tested negative for brucellosis and pseudorabies in order to move from the sale to the buyer's farm. Swine purchased at these sales will automatically be quarantined to the premises of destination for a period of thirty (30) days. All breeding swine must be identified by a USDA back tag.

(3) Swine showing visible symptoms of disease must be isolated from apparently healthy swine and consigned to slaughter, euthanized with proper disposal or returned to the farm of origin under quarantine. Swine shall be accompanied by a Georgia 29 permit.

(4) Out-of-state swine moving to approved livestock establishments in Georgia must meet all interstate requirements, except where reciprocal agreements exist with other states.

(5) The State Veterinarian may require or prohibit the treatment of swine with any biological as required by the Department of Agriculture.

Authority O.C.G.A. Sections 4-4-64; 4-4-67.

40-13-6-.06 Goats, Sheep, and Non-traditional Livestock Movement Through Auction Markets.

(1) All goats, sheep, and non-traditional livestock offered for sale at livestock auction markets must be healthy and must originate from herds apparently free of any contagious, infectious, or communicable disease. Any of these animals offered for sale at auction markets showing signs of illness will not be allowed entry to the sale and may be quarantined to the farm of origin. Quarantine will remain in effect until released by the State Veterinarian. Animals affected with certain diseases, as determined by the State Veterinarian, may be held separate from other animals, sold and permitted to slaughter.

(2) Out-of-state goats, sheep, or non-traditional livestock moving through approved livestock facilities in Georgia must meet all interstate requirements except where a reciprocal agreement exists with other states.

(3) All goats, sheep, or non-traditional livestock will be identified by an approved USDA back tag, tags approved by the Georgia Department of Agriculture.

Authority O.C.G.A. Sections 4-4-64; 4-4-67.

40-13-6-.07 Poultry Moving Through Auction Markets.

(1) All poultry offered for sale through Georgia markets must be healthy and originate from flocks apparently free of any contagious, infectious, or communicable disease. Any poultry that shows signs of illness will not be allowed entry to the sale and may be returned to the farm of origin under quarantine. Quarantine will remain in effect until released by the State Veterinarian.

(2) Out-of-state poultry may move freely through Georgia poultry markets provided they meet all interstate requirements except where a reciprocal agreement exists with other states.

(3) Each poultry sales market shall have an approved disposal facility or method or disposing of dead poultry that meets Georgia Department of Agriculture requirements.

Authority O.C.G.A. Sections 4-6-81; 4-4-82; 4-4-83.

40-13-6-.08 Equine Movement Through Auction Markets.

(1) All equine offered for sale at Georgia auction markets must be healthy and originate from herds that are apparently free of any contagious, infectious, or communicable disease. Any of these animals showing signs of illness will not be allowed entry to the sale and may be quarantined to the farm of origin. Quarantine will remain in effect until released by the State Veterinarian.

(2) All equine offered for sale through Georgia auction markets must be accompanied by the original negative equine infectious anemia (EIA) laboratory issued test record within the past 12 months. Untested equine may move directly to an approved sale where a sample will be collected prior to the sale. The seller will be liable for the cost of the test and must reimburse the buyer of the animal if the test is positive.

(3) Out-of-state equine must be accompanied by the original negative equine infectious anemia (EIA) laboratory issued test record within the past 12 months and a Certificate of Veterinary Inspection within thirty (30) days of arrival.

(4) Abused or starving equine that are offered for sale at Georgia auction markets that exhibit clear signs of abuse or starvation shall, upon the approval of the State Veterinarian, be impounded in accordance to the Georgia Humane Care of Equine Act.

(5) No person shall use drugs, tranquilizers or medication which may conceal defects, falsely enhance the appearance of quality or otherwise result in misrepresentation in sale of an equine animal.

Authority O.C.G.A. Section 4-6-2.

40-13-6-.09 Veterinary Services. A licensed accredited veterinarian shall be selected by the auction market as required by the State Veterinarian to provide the required veterinary services at the market. Such veterinarians must be approved by the Georgia Department of Agriculture in writing. It shall be the responsibility of the approved veterinarian to personally perform all veterinary services required by the Department at the market and such inspection services as may be necessary with regard to sanitation and final inspection and disposition of abnormal animals. Veterinary services shall be the seller's expense.

Authority O.C.G.A. Section 4-6-2.

40-13-6-.10 Livestock Inspector.

(1) The Georgia Department of Agriculture will assign an inspector to each sale. It shall be the duty of the livestock inspector to enforce rules and regulations pertaining to sanitation and prevention of disease in livestock.

(2) The inspectors shall determine normal from abnormal animals. Abnormal animals will be held for the veterinarian's examination or returned to the farm of origin.

(3) Any person who assaults or threatens to assault any livestock inspector or other employee of the Georgia Department of Agriculture, in addition to being subject to punishment as provided by law, shall also be subject to having such license and/or permit held by the individual revoked, canceled, or suspended by the Commissioner of Agriculture of the state of Georgia. Such action shall not be taken by the Commissioner until such person has been given at least ten (10) days notice by registered mail of the time and place of a hearing or through counsel at such hearing to introduce evidence in his own behalf. If at the time of the hearing, the Commissioner shall determine that the applicant or licensee has been guilty of an assault or attempted assault on any employee of the Georgia Department of Agriculture, he shall be empowered to immediately revoke, cancel, or suspend such permit or license.

Authority O.C.G.A. Sections 4-4-2; 4-4-75.

40-13-6-.11 Handling of Livestock.

(1) All livestock in a livestock auction sales establishment shall be handled, graded, sorted, and sold, including loading and unloading, in a humane manner and method as to prevent damage to the livestock by bruising or other injury.

(2) Any instruments capable of injuring or bruising livestock in the grading, sorting, and selling process, including the sale ring will be used only as a means of

moving animals from one location to another or as a means of self-protection. This requirement also includes livestock that have been sold and are to be shipped.

(3) Any livestock that dies on sale premises must be disposed of in accordance to the rules of the Dead Animal Act of the state of Georgia.

Authority O.C.G.A. Section 4-6-54.

40-13-6-.12 Enforcement.

(1) Any person violating the provisions of this chapter shall be guilty of a misdemeanor.

Authority O.C.G.A. Section 4-4-84; 16-10-20.